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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/501,590 | 02/10/2000 | Yukinori Yamamoto | 35.C14250 | 4096 |

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EXAMINER

AN, SHAWN S

ART UNIT PAPER NUMBER

2613

DATE MAILED: 10/02/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/501,590

Applicant(s)
Yukinori Yamamoto

Examiner
Shawn An

Art Unit
2613



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Aug 29, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other: _____

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DETAILED ACTION

Request for Continued Examination

1. The request filed on 8/29/03 for a Request for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/501,590 is acceptable and a RCE has been established. An action on the RCE follows.
2. As per Applicant's instructions in Paper 12 as filed on 8/29/03, claims 1, 3-6, 10-14 have been amended, and claim 15 has been newly added.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 7, 10-11, and 13-15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chung et al (6,301,303 B1).

Regarding claims 1, 7, 13, and 14, Chung et al discloses a decoding apparatus/method or computer readable storage medium (col. 2, lines 25-29) which stores a program, comprising:

an input unit (Fig. 3, Bit Stream) for inputting a bitstream obtained by coding a plurality of object data in units of objects and multiplexing the coded data;

a separation (demux) unit (21) for separating coded data of each object from the bitstream;

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outputting means (22N) for decoding the coded data of the object in accordance with the data and outputting object data; and

a synthesis unit (23) for synthesizing the object data outputted by the outputting unit.

Chung et al fails to disclose wherein the plurality of object data are data which provide a desired scalability in accordance with a combination among the plurality of object data, and a desired scalability input unit arranged to input data indicating a grade of the desired scalability.

However, Suzuki et al teaches the plurality of object data are data providing a desired scalability (temporal scaling) in accordance with a combination among the plurality of object data (col. 7, lines 47-52), and a desired scalability input unit (Fig. 50, DEMUX) arranged to input data indicating a grade of the desired scalability.

Therefore, it would have been considered quite obvious to a person of ordinary skill in the relevant art employing Chung et al's decoding apparatus to incorporate the desired scalability among the plurality of objects as taught by Suzuki et al for decoding encoded object data in a scalable fashion.

Regarding claim 2, Chung et al discloses MPEG 4 (col. 6, lines 16-25).

Regarding claim 10, Chung et al discloses monitoring unit (Fig. 3, Output) for monitoring the object data synthesized by the synthesis unit.

Regarding claim 11, Chung et al discloses communication unit (communication line) for performing data communication with an external device (Fig. 3, Output), wherein the communication device transmits information representing that the bitstream is decoded.

Regarding claim 15, Suzuki et al teaches object data including different resolutions (Fig. 1, 205).

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5. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chung et al and Suzuki et al as applied to claim 1 above, and further in view of Bando et al (5,774,548).

Regarding claim 3, The combination of Chung et al and Suzuki et al does not particularly disclose descrambling unit for descrambling the scrambled bitstream.

However, Bando et al teaches conventionally well known descrambling unit (Fig. 1, 105) for descrambling the scrambled bitstream.

Therefore, it would have been considered quite obvious to a person of ordinary skill in the relevant art employing Chung et al's decoding apparatus to incorporate the descrambling means as taught by Bando et al so that the descrambling unit performs descrambling the scrambled bitstream in order to permit authorized viewers an access to a particular cable channel.

Regarding claim 4, the Examiner takes official notice that the IPMP data is well known in the art. Therefore, it would have been considered quite obvious for the descrambling unit to descramble the scrambled bitstream in accordance with intellectual property data in order to protect the copyright information, thereby controlling the scrambled bitstream based on an authentication verification.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chung et al, Suzuki et al, and Bando et al as applied to claim 3 above, and further in view of Takahashi (6,295,380 B1).

Regarding claim 5, Bando et al discloses a read unit (105) for reading descrambling data for descrambling the scrambled data in accordance with the data read by the read means.

The combination of Chung et al and Bando et al does not specifically disclose storing descrambling data in a well known IC card.

However, a storage medium such as an IC card is well known in the art.

Furthermore, Takahashi teaches an object data decoding apparatus as an object data processing apparatus (Fig. 12), and that IC card, ROM cassette, or the like may be used so as long as it can record a program (col. 29, lines 42-47).

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Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a decoding apparatus as taught by Chung et al to incorporate the IC card as taught by Takahashi for storing program data such as a player subscriber information.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chung et al and Suzuki et al as applied to claim 1 above, and further in view of Takahashi (6,295,380 B1).

Regarding claim 6, The combination of Chung et al and Suzuki et al does not specifically disclose read unit for reading selection data for selecting the object, the selection data being stored in an IC card, and the selection unit selecting the predetermined object from the plurality of objects in accordance with the selection data read by the read unit.

Further, a storage medium such as an IC card is well known in the art.

Furthermore, Takahashi teaches read unit (Fig. 12, 13a) for reading selection data for selecting the object, and the selection unit for selecting the predetermined object from the plurality of objects in accordance with the selection data read by the read unit (Fig. 16).

Takahashi also teaches an object data decoding apparatus as an object data processing apparatus (Fig. 12), and that IC card, ROM cassette, or the like may be used so as long as it can record a program (col. 29, lines 42-47).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a decoding apparatus as taught by Chung et al to incorporate the read unit, selecting unit, and IC card as taught by Takahashi so as to selectively choose objects in priority to meet the demands of cable subscribers.

8. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chung et al and Suzuki et al as applied to claim 7 above, and further in view of Takahashi (6,295,380 B1).

Regarding claim 8, The combination of Chung et al and Suzuki et al does not specifically disclose an audio object.

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However, an audio object in a decoder is well known in the art.

Furthermore, Takahashi teaches an audio object (Fig. 19, Pa4) in a decoder (Fig. 12).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a decoding apparatus as taught by Chung et al to incorporate the audio object in the decoder as taught by Takahashi so as to synchronize the audio and the video information.

Regarding claim 9, Takahashi discloses a scene description object (Fig. 11, Sf).

9. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chung et al and Suzuki et al as applied to claim 11 above, and further in view of Fogg (6,466,624 B1).

Regarding claim 12, Chung et al does not specifically disclose data communication through Internet

However, Fogg teaches a communication unit (Fig. 5, 509) might be utilized for Internet, WAN, LAN, etc.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a decoding apparatus as taught by Chung et al to incorporate Fogg's teaching of the communication unit being utilized for Internet so as to display decoded video data to many subscribers in many geographical locations.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn An whose telephone number (703) 305-0099 and schedule are Tuesday-Friday.

SHAWN S. AN
PATENT EXAMINER

SSA

September 30, 2003